MAY 19, 1999

THE DIRECTOR OF THE SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION TOOK FORMAL ACTION ON MAY 19, 1999, IN THE TRUST LANDS ADMINISTRATION OFFICE, 675 EAST 500 SOUTH, SUITE 500, SALT LAKE CITY, UTAH 84102-2818, ON THE BELOW-LISTED SURFACE AND DEVELOPMENT BUSINESS MATTERS AS INDICATED.

THESE MINUTES INCLUDE SURFACE ACTIONS AS LISTED ON PAGES S-1 TO S-13; AND DEVELOPMENT ACTIONS AS LISTED ON PAGES D-1.

DAVID T. TERRY, DIRECTOR SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION

LESLIE M. WARNER, RECORDS OFFICER

ARCHIVES APPROVAL NO. 7990209

GRAZING PERMITS

GRAZING PERMIT NO. 23075 (APPROVAL)

Chivers Ranches, Inc. Cook Livestock 346 East Main Vernal, UT 84078

1,279.42 Acres

376.00 AUMs

School Fund

\$733.20 per annum; \$50.00 application fee; 15-year term.

County(s) Uintah

 $\frac{05/01/99}{04/30/2014}$ Beginning Date

T3 S, R 23 E, SLB&M Sec. 2: All

T2 S, R 24 E, SLB&M

Sec. 32: All

<u>Season of Use</u>: Fall (Nov 1^{st} - Feb 30^{th}), Spring (April 1^{st} - May 1^{st})

Type of Livestock: Cattle

Mr. Hales recommends that the Director approve GP 23075.

TRUST LANDS
ADMINISTRATION
Approve D7
Deny

GRAZING PERMIT NO. 21007 (DELETION OF ACREAGE AND AUMS)

Phil Allen, P.O. Box 74, Antimony, UT 84712, has requested the deletion of the following acreage from the above-referenced grazing permit.

T31S, R2W, SLB&M Sec. 2: Lots 1-4

GP 22687 will now contain 92.00 AUM's and 2,085.55 acres with a grazing fee of \$179.40 and a weed fee of \$4.60, totaling \$184.00. The \$20.00 amendment fee has been paid on the amendment of GP 20150. Garfield County. School fund.

Mr. Brown recommends that the Director approve the reduction of acreage and AUM's for $GP\ 21007$.

TRUST LANDS
ADMINISTRATION
Approve 97
Deny

GRAZING PERMIT NO. 20150 (ADDITION OF ACREAGE AND AUMS)

Van A Wiley, Antimony, Utah 84712, has requested the addition of the following acreage to the above referenced grazing permit.

T31S, R2W, SLB&M Sec. 2: Lots 1-4

GP 20150 will now contain 32.00 AUM's and 791.63 acres with a grazing fee of \$62.40 and a weed fee of \$1.60, totaling \$64.00. The \$20.00 amendment fee has been paid. Garfield County. School fund.

Mr. Brown recommends that the Director approve the addition of acreage and AUM's for GP 20150.

EASEMENTS

EASEMENT NO. 579 (APPROVAL)

TRUST LANDS
ADMINISTRATION
Approve D1
Deny

APPLICANTS NAME AND ADDRESS:

Pacificorp (Utah Power and Light) 710 North Main Richfield, Utah 84701

LEGAL DESCRIPTION:

Township 15 South, Range 9 East, SLB&M

Section 29: Within the StSW4, SW4SE4, NE4SE4

Section 30: Within the SE4SW4, S4SE4

Section 31: Within Lot 1

A RIGHT OF WAY 30 FEET IN WIDTH, BEING 15 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED SURVEY LINE:

Beginning on the west boundary line of the Grantor's land at a point 552 feet north and 1319 feet east, more or less, from the southwest corner of Section 30, T15S, R9E, SLB&M, thence N $64^{\circ}28'$ E 271.4 feet, more or less, thence S $86^{\circ}04'$ E 1685.5 feet, thence N $72^{\circ}48'$ E 739.5 feet, thence N $81^{\circ}24'$ E 1071.5 feet, thence N

84°23' E 722.3 feet, thence N 88°41' E 2556.1 feet, thence N 52°53' E 376.1 feet, more or less, to the north boundary line of said land and being in the SE4SW4 and the S2SE4 of said Section 30, the S2SW4 and the SW4SE4 of Section 29, Township and Range aforesaid, containing 5.11 acres, more or less.

Beginning at the west boundary fence of the Grantor's land at a point 815 feet south and 1306 feet west, more or less, from the east one quarter corner of Section 29, T15S, R9E, SLB&M, thence N 52°53' E 290.5 feet, more or less, thence N00°14' E 643 feet, more or less, to the north boundary line of said land and being in the NE4SE4 of said Section 29, containing 0.64 acre, more or less.

ALSO,

A RIGHT OF WAY 10 FEET IN WIDTH, BEING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED SURVEY LINE:

Beginning on the north boundary line of the Grantor's land at a point 179 feet east, more or less, along the section line from the northwest corner of Section 31, T15S, R9E, SLB&M, thence S 12°46' E 167.3 feet on said land and being in Lot 1 of said Section 31, containing 0.04 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 704 feet north and 1048 feet west, more or less, from the south 1/4 corner of Section 30, T15S, R9E, SLB&M, thence N 64°28' E 83 feet on said land and being in the SE4SW4 of said Section 30, containing 0.02 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 704 feet north and 1048 feet west, more or less, from the south 1/4 corner of Section 30, T15S, R9E, SLB&M, thence N 86°04' W 83 feet on said land and being in the SE4SW4 of said Section30, containing 0.02 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 589 feet north and 640 feet east, more or less, from the south 1/4 corner of Section 30, T15S, R9E, SLB&M, thence S 6°38' E 79 feet on said land and being in the SW4SE4 of said Section 30, containing 0.02 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 815 feet north and 1315 feet west, more or less, from the southeast corner of Section 30, T15S, R9E,

SLB&M, thence N $12^{\circ}54'$ W 69 feet on said land and being in the S2SE4 of said Section 30, containing 0.02 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 975 feet north and 256 feet west, more or less, from the southeast corner of Section 30, T15S, R9E, SLB&M, thence N 6°06' W 65 feet on said land and being in the SE4SE4 of Section 30, containing 0.01 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 1046 feet north and 463 feet east, more or less, from the southwest corner of Section 29, T15S, R9E, SLB&M, thence N $3^{\circ}28$ ' W 69 feet on said land and being in the SW4SW4 of said Section 29, containing 0.02 acre, more or less.

Beginning in the first above described survey line on the Grantor's land at a point 1091 feet north and 351 feet east, more or less, from the south 1/4 corner of Section 29, T15S, R9E, SLB&M, thence S 19°13' E 82 feet on said land and being in the SW4SE4 of said Section 29, containing 0.02 acre, more or less.

Beginning in the second above described survey line on the Grantor's land at a point 640 feet south and 1074 feet west, more or less, from the east 1/4 corner of Section 29, T15S, R9E, SLB&M, thence N $52^\circ53$ ' E 78 feet on said land and being in the NE4SE4 of said Section 29, containing 0.02 acre, more or less.

Beginning in the second above described survey line on the Grantor's land at a point 640 feet south and 1074 feet west, more or less, from the east 1/4 corner of Section 29, T15S, R9E, SLB&M, thence S 00°14' W 78 feet on said land and being in the NE4SE4 of said Section 29, containing 0.02 acre, more or less.

COUNTY: Carbon ACRES: 5.96 FUND: School

PROPOSED ACTION:

The applicant proposes to construct, operate, and maintain a 69,000 volt power line across the above referenced trust lands.

RELEVANT FACTUAL BACKGROUND:

The applicant applied for an easement on March 5, 1999. The applicant submitted a plan of development and a culture resource study with the application. Consultation with Trust Lands Administration archaeologist resulted in clearance for the project on March 11, 1999. The easement will provide power to develop and exploit natural gas from a coal bed methane

field in Carbon County in which the Trust Lands Administration holds a substantial royalty interest. The power line will originate at the Black Hawk Substation and run to the Miller Ranch Substation and will serve the River Gas Corporation and Texaco Oil Company gas production facilities.

The application was submitted to the Southeastern Utah Association of Local Governments area-wide clearinghouse and to the Resource Development Coordinating Committee (RDCC) for review on March 9, 1999. The area-wide clearinghouse approved the action on March 24, 1999, and comments were received from RDCC on April 13, 1999. The Utah Geological Survey noted that expansive rock may exist in the vicinity of the easement. The Division of Wildlife Resources expressed concern with disturbance to big game during the winter season and requested that construction be completed outside of the period December 1 through April 15. In addition, they expressed concern with raptor electrocutions on power lines and requested that a raptor safe power line design be used in construction.

The applicant has paid a total of \$6,662.47, which includes a \$600.00 application fee and \$6,067.47 for the easement. Consultation with the State of Utah Department of Commerce, Division of Corporations indicates that the applicant is an Oregon corporation in good standing and has been qualified to do business in the State of Utah since September 24, 1987.

EVALUATION OF FACTS:

There appear to be no conflicts of use involved with issuing this easement. The term is for 30 years, which is the maximum allowable under R850-40-800, and the applicant will be assessed an administrative fee every three years. The economics of issuing this easement are positive for the Trust Lands Administration. The applicant has paid all necessary fees. The applicant was provided with a copy of the comments from the RDCC process so operation and design measures to provide for raptor safety will be met. Additionally, the applicant has consented to construct the power line in the window of time between April 15 and December 1, 1999.

Mr. Faddies recommends that the Director approve the issuance of Easement No. 579 for a term of 30 years, with an administrative fee being assessed every three years, beginning January 1, 2002. This summary constitutes the record of decision.

TRUST LANDS
ADMINISTRATION
Approve 101
Deny

EASEMENT NO. 585 (APPROVAL)

APPLICANT'S NAME AND ADDRESS:
South Central Utah Telephone
P.O. Box 10
Tropic, Utah 84776

LEGAL DESCRIPTION:

Township 36 South, Range 15 West, SLB&M Section 16: Within the E2SE4NE4

Easement is 10 feet wide, five feet on each side of the following centerline description:

Beginning at a point which is situated N $62^{\circ}43'34''$ W 752.92 ft from the East Quarter Corner of Sec 16, T36S, R15W, SLB&M, thence N $42^{\circ}12'32''$ E 1.18 ft, thence N $42^{\circ}02'31''$ E 136.45 ft, thence N $42^{\circ}22'41''$ E 141.50 ft, thence $30^{\circ}56'53''$ E 131.38 ft, thence N $29^{\circ}21'58''$ E 144.74 ft, thence N $29^{\circ}57'18''$ E 146.26 ft, thence N $27^{\circ}55'25''$ E 120.52 ft, thence N $11^{\circ}19'53''$ W 56.58 ft to a point on the easterly line of the regeneration station site property, said point being the end of the easement.

COUNTY: Iron ACRES: 0.20 FUND: School

PROPOSED ACTION:

The applicant is requesting an easement for an underground phone cable to service a regeneration station under SULA 1191.

RELEVANT FACTUAL BACKGROUND:

This item was not sent to the Resource Development Coordinating Committee (RDCC) because it is within an existing easement corridor which was reviewed as part of Easement 461, Easement 486, Right of Way 3005, and Right of Way 3104. The School and Institutional Trust Lands Administration archaeologist has determined that this proposal is not an undertaking because of the existing easements and the fact that this easement is along an existing road accessing the regeneration site under lease.

EVALUATION OF FACTS:

A summary of the criteria considered in this easement application is as follows:

1. The proposed easement is <u>not</u> located entirely on Trust land and is located in an existing easement corridor.

- 2. The proposed easement term is for a period of 30 years.
- 3. The applicant has paid the School and Institutional Trust Lands Administration determined fee.
- 4. The proposed easement will not have an unreasonably adverse effect on the developability or marketability of the subject property.

Based on the above evaluation, this summary will constitute the Record of Decision.

Mr. Brown recommends that the Director approve Easement No. 585 for a term of 30 years with the charge being \$639.05, plus the \$600.00 application fee. An administrative fee is to be assessed every three years, beginning January 1, 2002. The expiration date is December 31, 2029.

RIGHTS OF ENTRY

RIGHT OF ENTRY NO. 4236

On May 7, 1999, Mr. Jan Parmenter, S.E. Area Realty Specialist, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of International Adventure Tours, 3245 E. Fairway Loop, #A12, Moab, UT 84532, to occupy the following trust land located within Grand County for commercial moving photography on October 3, 1999:

T25S, R21E, SLB&M Sec. 32: Within

The fee for this right of entry is \$300.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$400.00. Grand County. School fund. Expiration date: October 4, 1999.

This item was submitted by Mr. Parmenter for record-keeping purposes.

RIGHT OF ENTRY NO. 4237

On May 7, 1999, Mr. Jan Parmenter, S.E. Area Realty Specialist, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of International Adventure Tours, 3245 E. Fairway Loop, #A12, Moab, UT 84532, to occupy the following described trust land

located within Grand County for commercial moving photography on August 31 and September 1, 1999:

T25S, R21E, SLB&M Sec. 32: Within

The fee for this right of entry is \$600.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$700.00. Grand County. School fund. Expiration date: September 2, 1999.

This item was submitted by Mr. Parmenter for record-keeping purposes.

RIGHT OF ENTRY NO. 4238

On May 7, 1999, Mr. Jan Parmenter, S.E. Area Realty Specialist, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of International Adventure Tours, 3245 E. Fairway Loop, #A12, Moab, UT 84532, to occupy the following described trust land located within Grand County for commercial moving photography on September 11 and September 12, 1999:

T25S, R21E, SLB&M Sec. 32: Within

The fee for this right of entry is \$1,000.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$1,100.00. Grand County. School fund. Expiration date: September 13, 1999.

This item was submitted by Mr. Parmenter for record-keeping purposes.

RIGHT OF ENTRY NO. 4239

On May 7, 1999, Mr. Jan Parmenter, S.E. Area Realty Specialist, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of International Adventure Tours, 3245 E. Fairway Loop #A12, Moab, UT 84532, to occupy the following described trust land located within Grand County for commercial moving photography on September 22 and September 23, 1999:

T25S, R21E, SLB&M Sec. 32: Within

The fee for this right of entry is \$1,000.00 plus a \$50.00 application fee

and a \$50.00 processing fee, totaling \$1,100.00. Grand County. School fund. Expiration date: September 24, 1999.

This item was submitted by Mr. Parmenter for record-keeping purposes.

RIGHT OF ENTRY NO. 4242

On May 12, 1999, Mr. Jan Parmenter, S.E. Area Realty Specialist, pursuant to R850-41-200, and in accordance with direction and delegation of authority, approved the request of Dreamworks, LLC, 1000 Flower Street, Glendale, CA 91201, to occupy the following described trust land located within Grand County for commercial moving photography:

T26S, R9E, SLB&M Sec. 16: Within

T26S, R20E, SLB&M Sec. 2: Within

The fee for this right of entry is \$200.00 plus a \$50.00 application fee and a \$50.00 processing fee, totaling \$300.00. Grand County. School fund. Expires: May 13, 1999.

This item was submitted by Mr. Parmenter for recording-keeping purposes.

AMENDMENT OF RIGHT OF ENTRY NO. 4242

On May 12, 1999, Mr. Jan Parmenter, S.E. Area Realty Specialist approved the request of Dreamworks, LLC, for commercial moving photography on trust lands. On May 13, 1999, the applicant requested permission to film one additional day. The \$200.00 use fee, and the \$20.00 amendment fee has been submitted. The new expiration date is May 14, 1999.

This item was submitted by Mr. Parmenter for record-keeping purposes.



RIGHT OF ENTRY NO. 4226 (APPROVAL)

David L. Murray, P.O. Box 146, La Point, Utah 84039, has requested permission to use the following parcel of trust lands for a water loading site from Bitter Creek in Uintah County:

Township 11 South, Range 22 East, SLB&M Section 36: Within said section, as more particularly described:

A one-acre parcel, the appropriate center point being located at a point 2050 feet south and 150 feet east of the Northwest corner of said section 36.

County: Uintah Acres: 1.00 Fund: School

The term of the permit is one year, beginning June 1, 1999, and ending may 31, 2000.

The following additional special conditions apply to the permit:

- 1) Permittee shall apply by August 1, 1999, for a special use lease for the site if use is intended for more than one year.
- Permittee shall obtain authorization from the State of Utah Division of Water Rights and the State Water Engineer to use any water from Bitter Creek at the proposed loading site. If any water right is established, it is to be established in the name of the State of Utah, School and Institutional Trust Lands Administration.

Charges for this non-exclusive permit include a \$50.00 application fee, a \$50.00 processing charge, and a rental charge of \$500.00, totaling \$600.00.

The water pumping equipment is mounted on the water tank truck. There are to be no improvements constructed on the loading site.

Mr. Bagley recommends that the Director approve Right of Entry Permit No. 4226, for the period of June 1, 1999, through May 31, 2000.

RIGHT OF ENTRY PERMIT NO. 4233

Pursuant to R850-41, and in accordance with direction and delegation of authority, Gary D. Bagley, Realty Specialist, issued a 60-day Right of Entry permit, with a beginning date of May 1, 1999, and an ending date of June 29, 1999, to Williams Communications, Inc., P.O. Box 22067, Tulsa,

Oklahoma 74121. The purpose of the permit is to begin construction of a small regeneration station on trust lands for a new buried fiber optic communications cable being installed in the adjoining Union Pacific Railroad right-of-way. Williams Communications, Inc. has also made application for a longer term special use lease for the site (SULA 1257), which application is anticipated to be approved during the term of this right of entry. The permittee has agreed in writing, as part of the permit special conditions that, if the special use lease agreement for any reason is not approved by the Trust Lands Administration, it will be required to remove the facility and reclaim the site. The site has been cleared for cultural resources, and has been visually inspected by the Trust Lands Administration and is believed to be a good site for the proposed use. Wendover City has also given its approval to a conditional use permit and a building permit.

The trust lands encompassed by this permit are as follows:

Township 1 South, Range 19 West, SLB&M Section 16: Within

Beginning at a point north 88°18'29" west 745.83' along section line and south 2282.23 ft. from the northeast corner of Section 16, Township 1 South, Range 19 West, Salt Lake Base & Meridian, and running thence east 150.00 feet; thence south 275.00 feet; thence west 150.00 feet; thence north 275.00 feet to the point of beginning.

County: Tooele Acres: 0.94 Fund: School

The above action was submitted by Mr. Bagley for record keeping purposes.

RIGHT OF ENTRY PERMIT NO. 4234

Pursuant to R850-41, and in accordance with direction and delegation of authority, Gary D. Bagley, Realty Specialist issued a 60-day Right of Entry permit, with a beginning date of May 1, 1999, and an ending date of June 29, 1999, to Williams Communications, Inc., P.O. Box 22067, Tulsa, Oklahoma 74121. The purpose of the permit is to begin construction of a small regeneration station on trust lands for a new buried fiber optic communications cable being installed in the adjoining Union Pacific Railroad right-of-way. Williams Communications, Inc. has also made application for a longer term special use lease for the site (SULA 1256), which application is anticipated to be approved during the term of this right of entry. The permittee has agreed in writing, as part of the permit

special conditions that, if the special use lease agreement for any reason is not approved by the Trust Lands Administration, it will be required to remove the facility and reclaim the site. The site has been cleared for cultural resources, and has been visually inspected by the Trust Lands Administration and is believed to be a good site for the proposed use. Tooele County has also given its approval to a conditional use permit and a building permit.

The trust lands encompassed by this permit are as follows:

Township 1 South, Range 14 West, SLB&M Section 16: Within

Beginning at a point north 1160.18 feet and west 242.19 feet from the south quarter corner of Section 16, Township 1 South, Range 14 West, Salt Lake Base & Meridian, and running thence south 88°44'53" west 275 feet; thence north 1°15'05" west 150 feet; thence north 88°44'53 east 275 feet; thence south 1"15'05" east 150 feet to the point of beginning.

Contains: 0.9467 acres (as described)

Easement Description

Beginning at a point north 1160.18 feet, west 242.19 feet, and south 88°44'53" west 10 feet from the south quarter corner of Section 16, Township 1 South, Range 14 West, Salt Lake Base & Meridian, and running thence south 1°15'05" west 277.23 ft., more or less, to the northerly edge of asphalt U.S. Highway 40 and terminating.

Contains: 0.1446 acres (as described)

County: Tooele Acres: 1.09 Fund: School

The above action was submitted by Mr. Bagley for record keeping purposes.

RIGHT OF ENTRY PERMIT NO. 4243

Pursuant to R850-41, and in accordance with direction and delegation of authority, Gary D. Bagley, Realty Specialist issued a 60-day Right of Entry permit, with a beginning date of May 18, 1999, and an ending date of July 17, 1999, to Williams Communications, Inc., P.O. Box 22067, Tulsa, Oklahoma 74121. The purpose of the permit is to begin construction of a small regeneration station on trust lands for a new buried fiber optic

communications cable being installed in the adjoining Union Pacific Railroad right-of-way. Williams Communications, Inc. has also made application for a longer term special use lease for the site (SULA 1255), which application is anticipated to be approved during the term of this right of entry. The permittee has agreed in writing, as part of the permit special conditions that, if the special use lease agreement for any reason is not approved by the Trust Lands Administration, it will be required to remove the facility and reclaim the site. The site has been cleared for cultural resources, and has been visually inspected by the Trust Lands Administration and is believed to be a good site for the proposed use. Tooele County has also given its approval to a conditional use permit and a building permit.

The trust lands encompassed by this permit are as follows:

Township 1 South, Range 7 West, SLB&M Section 7: Within

Beginning at a point west 3378.80 feet and north 3579.69 feet from the south quarter corner of Section 8, Township 1 South, Range 7 West, Salt Lake Base and Meridian, said point of beginning also being east 4540.69 feet and south 1719.03 feet from the northwest corner of Section 7 of the above said Township 1 South and Range 7 West, said point also being on the northerly right-of-way line of the I-80 frontage road and running thence north 82°35'52" west along said northerly right-of-way line 525.00 feet; thence north 07°38'41" east 100.00 feet; thence south 82°35'52" east 525.00 feet; thence south 07°38'41" east 100.00 feet to the point of beginning.

County: Tooele Acres: 0.94 Fund: School

The above action was submitted by Mr. Bagley for record keeping purposes.

SALES

NON - COMPETITIVE PRE SALE NO. 7071

Non-competitive Pre Sale No. 7071 Sales Price: \$24,000.00 Certificate of Sale No. 24475 Processing Charge: \$50.00

Patent No. 19258

Date of Sale: January 20, 1999 Terms: Cash

TO WHOM SOLD AND ADDRESS:

Tee Family Living Trust
John Gardner Graham and Mary Gail Graham
2244 Putter Circle
St. George, UT 84770

Ap. Mcf DT

LEGAL DESCRIPTION:

Township 42 South, Range 15 West, SLB&M; Section 11
All of Lot 2 of the New Warm Springs Subdivision - Phase 1
a subdivision recorded at the office of the Washington County Recorder's Office

Containing 6,597 square feet, or 0.15 acre, more or less

Number of acres by county: 0.15 Washington (27)

Number of acres by fund: 0.15 School

Mineral leases given up: None

Surface leases given up: None

Remarks:

Subject to standard reservations in accordance to state restrictions.

COMMENTS:

The State of Utah received 30% of the total sale price of Lot 2 of New Warm Springs which equals to be \$7,200.00. The total sale price was \$24,000.00.

RESPONSIBLE STAFF MEMBER: Don Leavitt

This item was submitted by Ms. Henson.